

Joint resolution authorizing and requiring the Commissioner of the General Land Office to issue a certificate to J. H. Singleton for one-third of a league of land ; read and ordered to be engrossed.

Joint resolution, relative to extending the jurisdiction of the State of Texas over the south half of a certain portion of Red River ; read, and, on motion of Mr. Wallace, made the special order of the day for Friday, the 11th.

Mr. Davis moved to reconsider the vote which adopted the amendment inserting "a portion" to joint resolutions, relative to slavery.

On motion of Mr. Robertson, the motion to reconsider was laid on the table.

Joint resolution instructing our Representatives in Congress to use their efforts to obtain an appropriation for the improvement of the navigation on our south-western coast ; read and passed to third reading.

A bill to provide for the holding an election for the permanent location of the seat of Government of the State, together with the report of the committee on Finance offering amendments thereto, was read ; amendments adopted and bill passed.

On motion of Mr. Latimer, the Senate adjourned.

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THURSDAY, 9 o'clock, A. M., January 10, 1850.

The Senate was called to order by the President. Senators present : Messrs. Brashear, Cooke, Davis, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Phillips, Portis, Robertson, Taylor, Truit, Van Derlip, Ward, Walker and Wallace.

The journals of yesterday were read and adopted.

A message was received from the House of Representatives, informing the Senate that the House had passed the following bills and joint resolutions :

A bill to provide for distributing the reports of the decisions of the Supreme Court of this State ;

A bill for the relief of the heirs of Duncan McIntyre, deceased ;

A bill supplementary to an act entitled an act to exempt buildings and grounds designed and used for purposes of education or public worship from taxation ;

A bill to amend the first section of an act entitled an act to regulate the license and practice of attorneys and counsellors-at-law, approved May 12th, 1846 ;

A bill for the relief of William C. Sparks, assignee of Samuel W. Willis ;

A bill to establish the Rio Grande Rail-way and Turnpike Company ;

Joint resolution for the relief of Elizabeth Hart ;

Joint resolution granting Harriet, a free woman of color, the privilege of remaining in the State of Texas ; and,

Joint resolution prescribing the mode of transferring the consolidated stock fund of the late Republic of Texas.

Also, that the House had adopted the report of the committee of conference on a bill to amend the 6th, 7th and 9th sections of an act authorizing and requiring the county court to regulate roads, appoint overseers, &c., approved March 15, 1848.

Mr. Lattimer, chairman of the committee on Public Lands, to whom was referred a bill to authorize Bartlett Sims to raise a location therein named, and to locate the same on any vacant land, reported the same back to the Senate, with an amendment, and recommended its passage.

#### *Amendment.*

In 2d sec., 6th line, after "State" insert the following Proviso :  
" Provided, that this act shall not be construed as a legislative expression of opinion in regard to the claim of the said Jose Antonio Navarro."

Mr. Robertson, chairman of the committee on Private Land Claims, to whom was referred a bill for the relief of the heirs of Arthur Eldridge, reported the same back to the Senate and recommended its passage.

Mr. Grimes, chairman of the committee on Finance, to whom was referred a bill to authorize sheriffs to charge mileage, &c., reported that the committee could not agree upon a report, and returned the same to the Senate for their action.

Mr. Grimes, from the same committee, made the following report :

COMMITTEE ROOM, January 10, 1850.

Hon. JOHN A. GREER,

*President of the Senate :*

The committee on Finance, to whom was referred a bill for the relief of persons therein mentioned, together with an amendment, after giving the subject due deliberation, a majority of the committee have instructed me to report the original bill and re-



commend its passage, with an amendment to the caption. As the amendment referred to include S. S. Davis in the provisions of the bill, your committee had no evidence of the justness of the claim.

*Amendment to the Caption.*

Strike out "persons therein named," and insert "Hugh Hope, Edward West and Martin Glover."

Mr. Moffett, chairman of the committee on Engrossed Bills, reported the following bills correctly engrossed :

A bill to be entitled an act supplementary to an act creating fees of office, approved March 20, 1848 ;

An act to establish the La Salle and El Paso Rail-way Company ;

An act to authorize and require the Commissioner of the General Land Office to issue a certificate to Wiley Marshall for three hundred and twenty acres of land ; and,

A bill for the relief of the heirs of Patsy Lewis, dec'd.

Mr. Wallace made the following report :

COMMITTEE ROOM, January 19, 1850.

*To the Honorable President of the Senate :*

The committee on Enrolled Bill have examined the House's bill to be entitled an act for the relief of the heirs of George W. Manie, dec'd ; it was correctly enrolled.

Mr. Wallace, also, made the following report :

COMMITTEE ROOM, January 10, 1850.

*To the Honorable President of the Senate :*

The committee on Enrolled Bills, yesterday, presented to the Governor of the State a bill to be entitled an act to authorize and require the Commissioner of the General Land Office to issue patents on land located in three surveys in certain cases, and a bill to be entitled an act to incorporate Rio Grande City, after they had been signed by the Speaker of the House of Representatives and President of the Senate.

Mr. Ward, from the committee on Enrolled Bills, reported a bill to locate the seat of justice of Dallas county, correctly enrolled.

Mr. Truit introduced a bill for the relief of Charles T. Stanley ; read first time.

On motion of Mr. Truit, the rule was suspended ; bill read second time and referred to the committee on Private Land Claims.

Mr. Van Derlip introduced a bill for the relief of George C. Arnest ; read first time.

Mr. Latimer introduced a bill to amend the sixth section of an act to regulate the license and practice of attorneys and counsellors-at-law; read first time.

Mr. Robertson introduced a bill amendatory of an act entitled an act to establish the method of trying the right of property levied on under writs of execution, sequestration and attachment, when the same is claimed by a person not a party to such suit; read first time.

### ORDERS OF THE DAY.

A bill to create the Twelfth Judicial District; read second time.

Mr. Van Derlip presented a memorial of the citizens of the Fourth Judicial District; and, on motion of Mr. Van Derlip, the bill and memorial were referred to the committee on the Judiciary.

A bill to prevent and to punish attorneys, counsellors-at-law, agents and others from and for swearing to facts in the proceedings or prosecution of civil or criminal cases in the courts and tribunals of the State, unless such facts or data be within their own personal knowledge, and not upon the information of others; read second time, and, on motion of Mr. Brashear, referred to a Select committee of five.

Messrs. Brashear, Portis, Moffett, Walker and Latimer were appointed said committee.

A bill to repeal an act to provide for closing the business of the late War and Marine Department, and to transfer the books, records and papers of the Adjutant General's office to the office of Secretary of State; read, and, on motion of Mr. Kinney, laid on the table.

A bill for the relief of Samuel G. Newton & Co. and Tilly & Hewit; read second time, and, on motion of Mr. Walker, referred to the committee on Finance.

A bill to authorize the surveyor of Smith county to record field notes therein mentioned; read second time, and, on motion of Mr. Taylor, referred to the committee on County Boundaries.

A bill to repeal an act authorizing the appointment of a fiscal agent, and for the better security of the revenue, approved March 20th, 1848; read second time, and, on motion of Mr. Parker, referred to the committee on Finance.

A bill to change the time of holding the courts in a part of the Fourth Judicial District; read second time, and, on motion of Mr. Brashear, referred to the committee on the Judiciary.



A bill to authorize Bailey English, Thomas Cowart and their associates to construct a turnpike road from the town of Bonham, in the county of Fannin, across the Bois d'Arc bottom to the highland on the east side of said stream in the direction of Paris in Lamar county; read second time, and, on motion of Mr. Hart, referred to the committee on Internal Improvement.

A bill to create the county of Kinney; read second time, and, on motion of Mr. Robertson, referred to the committee on County Boundaries.

A bill to create the county of Bell; read second time, and, on motion of Mr. Portis, referred to the committee on County Boundaries.

A bill to amend an act to create the county of Webb, approved January 28th, 1848; read second time, and, on motion of Mr. Parker, referred to the committee on County Boundaries.

A bill changing the name of George North to George Gouglass Bigelow; read second time, and, on motion of Mr. Parker, referred to the committee on State Affairs.

A bill granting a charter to the Galveston and Brazos Navigation Company; read second time, and, on motion of Mr. Portis, referred to the committee on Internal Improvements.

A bill for the relief of those who fell with Fannin, Ward, Travis, Grant and Johnson, during the war with Mexico, in the year 1836; read second time, and, on motion of Mr. Gage, referred to the committee on Private Land Claims.

A bill defining the time, when all laws, hereafter enacted by the Legislature of the State of Texas, shall take effect; read second time, and, on motion of Mr. Parker, referred to the committee on the Judiciary.

A bill appropriating to the Governor the sum of five hundred dollars to pay the house rent and the serving of a porter; read second time, and, on motion of Mr. Truit, referred to the committee on Finance.

A bill supplementary to an act entitled an act supplementary to an act to create the county of Smith, approved February 26, 1848; read second time, and, on motion of Mr. Parker, referred to the committee on County Boundaries.

A bill to define the time of holding the District Court in the Fifth Judicial District; read second time, and, on motion of Mr. Wallace, referred to the committee on the Judiciary.

A bill to amend an act entitled an act to incorporate the Baylor University, approved February 1st, 1845; read second time, and, on motion of Mr. Latimer, referred to the committee on Education.



A bill to perfect the land titles in Castro's colony; read second time, and, on motion of Mr. Van Derlip, referred to the committee on Public Lands.

A bill to amend the charter of the town of Goliad; read second time, and, on motion of Mr. Kinney, referred to the committee on the Judiciary.

Joint resolution for the relief of the heirs of Wm. S. Tuten; read second time, and, on motion of Mr. Parker, referred to the committee on Private Land Claims.

Joint resolution authorizing the Governor to subscribe for three hundred copies of the second and third volumes of the decisions of the Supreme Court of this State; read second time, and, on motion of Mr. Latimer, referred to the committee on the Judiciary.

A bill to quiet land titles west of the Nueces river; read second time.

Mr. Grimes moved to amend the 1st section by inserting after the word "appoint" "by and with the advice and consent of the Senate"; adopted.

Mr. Van Derlip moved to amend 1st section by inserting after the word "Nueces" the words "Presidio, Worth and Santa Fé"; adopted.

Mr. Van Derlip offered the following amendment to come in at the end of section 3:

"In the county of Presidio, on the 4th Monday in September, 1851, and continue in session 2 months. In the county of El Paso, 1st Monday in December, 1851, continue in session 2 months. In the county of Worth, 1st Monday in February, 1852, may continue in session 2 months. In the county of Santa Fé, the 2d Monday in April, 1852, and may continue in session two months"; adopted.

The bill was then ordered to be engrossed.

Mr. Burleson introduced a joint resolution for the removal of Indians beyond the limits of the State of Texas; read first time.

A bill to establish permanently the seat of justice of Leon county, together with the report of the committee on County Boundaries offering an amendment thereto, was read; amendment adopted, and bill passed to third reading.

A bill requiring costs to be paid in cases of appeals to the Supreme Court, and changes of venue; read, and, on motion of Mr. Wallace, referred to the committee on the Judiciary.

A bill for the relief of the heirs and legal representatives



of John C. Ogden; read second time and ordered to be engrossed.

Joint resolution making an appropriation for the relief and education of Angelina Elizabeth Dickinson, together with the report of the committee on Finance recommending no further action on the bill, was read, and report adopted.

A bill to reserve to every head of a family certain property, and to exempt the same from forced sale under execution or otherwise, together with the report of the Select committee offering amendments thereto, was read, and amendments adopted.

Mr. Walker moved to amend by inserting "2000 lbs." before "beef"; rejected.

Mr. Wallace moved to amend the bill by inserting after the word "otherwise," in 1st section, the words "on, or for debts hereafter contracted."

On motion of Mr. Pease, the bill and amendment were laid on the table and made the special order of the day for to-morrow.

Mr. Gage, chairman of the committee on County Boundaries, to whom was referred a bill to extend and define the eastern boundary of Caldwell county, reported the same back to the Senate, with the following amendment, and recommended its passage.

Additional section to come in by way of amendment:

"Sec. 2. *Be it further enacted*, That John T. Story be, and he is hereby authorized to run and mark the lines, agreeable to the provisions of the 1st section of this act, for which the county court of Caldwell county be, and they are hereby authorized to pay said Story out of the county treasury for the performance of said work, at the same rates that district surveyors are allowed for other surveying, as soon as said John T. Story shall return the field notes, to the county court of Caldwell county, of the survey as contemplated by the provisions of the first section of this act."

Mr. Wallace made the following report:

COMMITTEE ROOM, January 10, 1850.

*To the President of the Senate:*

The joint committee on Enrolled Bills, report a bill to be entitled an act supplementary to an act entitled an act to establish and incorporate the college of De Kalb, approved January 26th, 1839, and a bill to be entitled an act to legalize the head-right certificate of Simon P. Barnes, correctly enrolled.

Joint resolution requiring the clerk of Austin county to record all the proceedings of the Alcalde courts which may be found in his office, together with the report of the committee on



the Judiciary offering amendments thereto, was read; amendments adopted, and bill ordered to be engrossed by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Davis, Kinney, Latimer, McRae, Parker, Pease, Portis, Taylor, Truit and Van Derlip—13.

Nays: Messrs. Gage, Grimes, Hart, Moffett, Phillips and Wallace—6.

A bill to change the name of William Lipe Walradt to William Walradt Dunlap; read and passed to third reading.

A bill for the relief of Wm. K. Melton; read, and, on motion of Mr. Van Derlip, laid on the table until to-morrow.

A bill requiring the Commissioner of the General Land Office to issue a certificate of one-third of a league of land to the heirs of Montgomery Baxter; read and ordered to be engrossed.

A bill for the relief of Mary Henderson; read and passed to third reading.

A bill to authorize the county court of Harrison county to have record book B of bonds, deeds, mortgages and other instruments of writing, now in the county clerk's office of said county, transcribed; read and passed to third reading.

On motion of Mr. Kinney, the Senate adjourned until three o'clock, p. m.

THREE O'CLOCK, P. M.

The Senate was called to order—quorum present.

A bill to incorporate the city of Brownsville; read first time.

On motion of Mr. Portis, the rule was suspended; bill read second time and referred to the committee on the Judiciary.

A bill to restore lands, sold for taxes and purchased by the State, to the former owners; read third time and passed.

Joint resolution instructing our Senators and requesting our Representatives to procure the passage of a law by the Congress of the United States granting pensions to certain persons who suffered in the Texas revolution, or to their indigent widows and children; read third time and passed.

Joint resolution instructing our Representatives in Congress to use their efforts to obtain an appropriation for the improvement of the navigation on our south-western coast; read third time and passed.

A bill supplementary to an act creating fees of office, approved March 20th 1848; read third time and passed.

A bill for the relief of the heirs of Patsy Lewis, dec'd; read third time and passed.



A bill to authorize and require the Commissioner of the General Land Office to issue a certificate to Wiley Marshall for 320 acres of land ; read third time and passed.

A bill to establish the La Salle and El Paso Rail-way Company was read, and, on motion of Mr. Wallace, laid on the table and made the order of the day for Saturday, the 12th inst.

A bill for the relief of Washington H. Secrest ; read third time and passed.

A bill making additional appropriations of land for the purposes of education ; read third time and passed by the following vote :

Yeas: Messrs. Brashear, Davis, Hart, Kinney, Latimer, McRae, Moffett, Portis, Taylor, Van Derlip, Walker and Wallace—12.

Nays: Messrs. Burleson, Gage, Grimes, Parker, Pease and Phillips—6.

A bill to secure to all actual settlers within the limits of the colony granted to Peters and others, commonly known as Peters' colony, the lands to which they are entitled as colonists ; read third time and passed.

A bill making an appropriation for the *pro rata* pay of Thos. P. Anderson, deceased, surgeon in the navy of the late Republic of Texas ; read third time.

On motion of Mr. Pease, a call of the Senate was had.

The Senate being full, the yeas and nays were called on the passage of the bill, and were as follows :

Yeas: Messrs. Brashear, Burleson, Cooke, Davis, Gage, Kinney, McRae, Moffett, Parker, Pease, Phillips, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Walker—18.

Nays: Messrs. Grimes, Hart, Latimer and Wallace—4 ; so the bill passed.

A bill to revise and amend an act to locate permanently the seat of justice for the county of De Witt, approved March 9th, 1848 ; read second time, and, on motion of Mr. Phillips, referred to the committee on County Boundaries.

A bill to provide for the enumeration of the inhabitants of the State of Texas for the year 1850 ; read third time.

On motion of Mr. Van Derlip, the vote which adopted the amendment by striking out "one" wherever it appears immediately after the word "fifty," was reconsidered.

The question then recurred on the adoption of the amendment, and the amendment rejected ; the bill then passed to third reading.

A message was received from the House of Representatives, informing the Senate that the House had passed a joint resolu-



tion authorizing R. S. Neighbours, the Commissioner appointed to organize the counties of Presidio, El Paso, Worth and Santa Fé, to draw his salary in advance.

On motion of Mr. Pease, the joint resolution was taken up and read first time.

Mr. Burleson moved to suspend the rule that the resolution might be read a second time; lost.

Mr. Gage introduced a bill to require the Commissioner of the General Land Office to issue patents in certain cases; read first time.

A bill for the relief of William C. Sparks, assignee of Samuel W. Willis; read first time.

Joint resolution granting Harriet, a free woman of color, the privilege of remaining in the State of Texas; read first time.

A bill to provide for distributing the reports of the decisions of the Supreme Court of this State; read first time.

Joint resolution prescribing the mode of transferring the consolidated stock fund of the late Republic of Texas; read first time.

Joint resolution for the relief of Elizabeth Hart; read first time.

A bill to authorize the Commissioner of the General Land Office to issue a head-right certificate for 320 acres of land to Guy M. Bryan; read and ordered to be engrossed.

A bill for the relief of the heirs and legal representatives of William Wallace who fell at Goliad; read and ordered to be engrossed.

A bill for the benefit of the heirs of James Ury, dec'd; read and ordered to be engrossed.

A bill to establish the Rio Grande Rail-way and Turnpike Company; read first time.

A bill for the relief of the heirs of Duncan McIntyre, dec'd; read first time.

A bill supplementary to an act entitled an act to exempt buildings and grounds, designed and used for purposes of education or public worship, from taxation; read first time, and, on motion of Mr. Pease, laid on the table.

A bill to require the Commissioner of the General Land Office to issue a patent to James Hall, administrator of the estate of Richard Hall, dec'd; read.

Mr. Robertson offered a substitute for the bill; which was read and adopted, and bill ordered to be engrossed.

On motion of Mr. Wallace, the Senate adjourned.